

MINUTES FOR THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF QUOGUE, HELD ON FRIDAY, MARCH 25, 2016.

PRESENT: Mayor Peter Sartorius, Trustees Randy Cardo, Ted Necarsulmer and Kimberley Payne, Village Attorney Richard DePetris and Village Clerk Aimee Buhl

ABSENT: Trustee Jeanette Obser

OTHERS PRESENT: Police Chief Robert Coughlan, Building Inspector William Nowak, Fire Chief John Sipala, Amanda Bernocco of the Southampton Press, Dick Gardner, Frances Ryan, Jeff Nazar, Matthew Tornetta, Ann E. Janis and Barbara Sartorius

The Mayor invited everyone to join him in the Pledge of Allegiance.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, the Minutes of Special Meeting and Regular Meeting held on February 19, 2016 were approved.

Upon motion made by Randy Cardo, seconded by Kimberley Payne and unanimously carried, the Abstract of Audited Vouchers Schedule 03-16, \$180,678.944 and Treasurer's Report for the Month ending February 29, 2016 were approved.

\$ 62,407.02	Checking Account
\$ 420,018.24	Capital Reserves
<u>\$ 6,009,448.72</u>	Investments
\$ 6,491,873.98	Total General Fund 2/29/16

The Clerk gave the report for February 2016 False Fire and Burglar Alarms:

Burglar Billed: \$1,250; Burglar Collected: \$575

Fire Billed: \$200; Fire Collected: \$200

Fire Chief John Sipala gave the February 2016 report for the Fire Department.

Building Inspector William Nowak gave the February 2016 report for the Building Department. Police Chief Robert Coughlan gave the February 2016 report for the Police Department.

Upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, it was RESOLVED, the receipt of the certification from the Quogue Fire Department of the posting for 30 days of the 2015 Service Award showing the names of firefighters and points earned under the Quogue Fire Department Service Award Program is acknowledged.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, a Lowes credit card (Synchrony Bank) with a credit limit of \$1,500 can be opened.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the following budget transfers are approved:

From A1990.400 Contingent Account to A1325.451 GASB 45-Post Employee Benefits Report \$6,000

From A9040800 Employee Benefits/Workman's Comp to A1910400 Special Items Unallocated Insurance \$2,600

From A718049 Beach Miscellaneous to A7180411 Beach Supplies-Equipment \$1,000

From A1990400 Special Items Contingent to A7180443 Beach Improvements & Maintenance \$5,000

From A3120450 Police Maintenance Contracts to A3120446 Police Tuition Reimbursement \$500

From A3120130 Police Part Time Services to A3120415 Police Navy Equipment & Maintenance \$1,000

From A3120450 Police Maintenance Contracts to A3120443 Police Improvements Building Maintenance \$2,500

From A5110150 Highway Overtime to A5110240 Highway Street Maintenance Equipment

\$5,000

From A5110425 Highway Gasoline to A5110240 Highway Street Maintenance Equipment

\$7,500

From A5110414 Highway Supplies – Road Materials to A5110240 Highway Street Maintenance Equipment

\$5,000

From A1990400 Special Items Contingent to A1620443 Buildings Improvements & Maintenance \$2,000

From A7110443 Parks Improvements & Maintenance to A7110444 Museum \$350

From A3410443 Fire Department Supplies Electronic Equipment to A3410445 Fire Department Fire Safety Education \$3,000

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the transfer of \$51,601.00 received from the Office of the Suffolk County Legislature from the General Fund to A3120.15 (Police-Overtime), which amount represents the 2015 Sales Tax Revenue share from the County of Suffolk which is restricted for public safety use only is approved.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the Mayor is authorized to execute 2016 Fire Inspection Services Agreement with the Town of Southampton to provide fire investigation and hazardous materials response services from date of execution to December 31, 2016.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the Mayor is authorized to execute 2016 Cooperative Agreement for Licensing of Home Improvement Contractors from date of execution to December 31, 2016.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the Mayor is authorized to execute 2016 Cooperative Agreement for Shared Computer Compatibility from date of execution to one (1) year thereafter.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the Maintenance Service Agreement with Arenz Heating & Air Conditioning for the air conditioning equipment at the Fire Department (1 three zone mini split system, 2 single zone mini split systems and 1 central air conditioning system) at a cost of \$690 and at the Gym (1 central air conditioning system) at a cost of \$142 for the term of 4/1/16 through 3/31/17 is accepted.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the Mayor is authorized to execute the Quogue Junior Theater Troupe license agreement for the term June 19, 2016 to August 28, 2016.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the Rules and Regulations of the Board of Trustees Governing FOIL requests are approved.

Upon motion made by Mayor Sartorius, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, a cash performance bond submitted by 125 Montauk Highway Group, LLC in the amount of \$12,000 for the installation of common driveway and other improvements is accepted.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the minutes of bid held on March 16, 2016 at 3:00 P.M for the operation of the snack bar at the Quogue Village Beach Pavilion for the 2016 summer season, as advertised in the Southampton Press, Western Edition issues dated February 18, February 25, March 3 and March 10, 2016 (see attached) are approved and the bid is awarded to JRWATERCORP.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the presentation of the 2016-2017 tentative budget is accepted by the Board of Trustees.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, a public hearing on the 2016-2017 tentative budget is scheduled at 10:00 A.M. on April 11, 2016.

The Mayor asked the audience if there were any comments with respect to Local Law No. ____ of 2016, A Local Law Amending Chapters 149 (Seasonal Rentals) and 196 (Zoning) of the Village Code in relation to short-term and partial rentals. There were no comments from the audience. The Board of Trustees finds and determines that this proposed local law will not have an adverse impact on the environment. Upon motion made by Mayor Sartorius and unanimously carried, it was RESOLVED, that “Local Law No. ____ of 2016 A Local Law Amending Chapters 149 (Seasonal Rentals) and 196 (Zoning) of the Village Code in relation to short-term and partial rentals” is hereby enacted as Local Law No. 2 of 2016. The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Mayor Sartorius:	Voting Aye
Trustee Payne:	Voting Aye
Trustee Necarsulmer:	Voting Aye
Trustee Cardo:	Voting Aye

Local Law No. ____ of 2016
A Local Law Amending Chapters 149 (Seasonal Rentals) and 196
(Zoning) of the Village Code in relation to short-term and partial rentals

Section 1. The Board of Trustees hereby finds and determines that in order to maintain the character of the Village of Quogue primarily as a quiet family-oriented village and to better secure and promote the public health, comfort, safety, welfare and prosperity of the Village of Quogue and its inhabitants, there should be imposed additional standards pertaining to rentals of one-family dwellings.

Section 2. Section 149-3 (License Required) is hereby amended by adding the following sentence at the end thereof: “For avoidance of doubt, a lease of a one-family dwelling for a period of less than 14 consecutive days is prohibited in the Village of Quogue by Section 196-16L of the Quogue Village Code, and a Transient Rental Property, as defined in Section 196-2B of the Quogue Village Code, may not be licensed as a seasonal rental.”

Section 3. Section 149-12 (Prohibitions; Restrictions) is hereby amended by deleting the existing provisions of paragraphs C and D thereof and amending them so that they read in their entirety as follows:

C. No owner or other person shall permit a one-family dwelling that is a seasonal rental to be occupied by any person in such a manner that the property involved constitutes a Transient Rental Property.

D. If a one-family dwelling is utilized as a seasonal rental, the entire dwelling must be rented and occupied for such purpose. As provided in Section 196-16M of the Quogue Village Code, rental to and the use and occupancy by a person of less than all of a one-family dwelling is prohibited.

Section 4. Section 196-2B (Definitions) of the Quogue Village Code is hereby amended by adding the following definition in alphabetical order:

Transient Rental Property

A one-family dwelling that is or may be occupied as a residence by any person for a period of less than 14 consecutive days for which rent or other compensation is paid or payable directly or indirectly to the owner or any other person. The presence of either of the following shall create a rebuttable

presumption that the dwelling is being used as a Transient Rental Property: (1) the dwelling is offered for lease or other occupancy on a website or other electronic medium that features short-term rentals or other occupancy without specifying a minimum term of at least 14 consecutive days or (2) the dwelling is offered for lease or other occupancy in any medium for a period of less than 14 consecutive days.

Section 5. Section 196-16 (Uses Restricted) of the Quogue Village Code is hereby amended by adding the following two lettered subparagraphs and additional language at the end thereof:

L. A Transient Rental Property.

M. If a one-family dwelling is rented, the entire dwelling must be rented and occupied for such purpose. Rental to and the use and occupancy by a person of less than all of a one-family dwelling is prohibited.

Notwithstanding the foregoing, the Board of Trustees may upon, application of the owner or owners of a one-family dwelling, grant an exception in a particular case to the prohibitions effected by subparagraphs L and M above in order to facilitate a special event held in or nearby the Village of Quogue that is being given by a Village resident or a not-for-profit organization based in or operating in the Village.

Section 6. This local law shall become effective upon the filing thereof with the Secretary of State of the State of New York.

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With no other business to discuss and upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, the meeting was adjourned at 4:35 PM.

Aimee Buhl, Village Clerk